

REMARKS

In the Office Action the Examiner noted that claims 1-7, 9-14, 16-22, 24-30, and 32 are pending in the application, and the Examiner rejected all claims. By this Amendment, claims 1, 13, 16-19, and 25 have been amended. No new matter has been presented. Thus, claims 1-7, 9-14, 16-22, 24-30, and 32 remain pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Claim Rejections Under 35 USC §112

In item 7 on page 3 of the Office Action the Examiner rejected claim 19 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

By this Amendment, claim 19 has been amended and no longer includes the language in the form rejected by the Examiner. Therefore, the Applicants respectfully request the withdrawal of the Examiner's §112, second paragraph rejection of claim 19.

Claim Rejections Under 35 USC §103

In items 9-37 on pages 4-12 of the Office Action the Examiner rejected claims 1, 5, 7-11, 13, 17, 18, 21, 25, 26, and 29 under 35 U.S.C. §103(a) as being unpatentable over Applicants Admitted Prior Art (hereinafter referred to as "AAPA") in view of U.S. Patent No. 6,947,415, issued to Nagaraj (hereinafter referred to as "Nagaraj") and further in view of U.S. Patent No. 6,505,245, issued to North et al. (hereinafter referred to as "North"). The Applicants respectfully traverse the Examiner's rejections of these claims.

Claim 1 of the present application, as amended, recites a console switch having an examining unit that examines transmission and reception data generated between the terminal and the hardware port of the information processing device in order to determine whether the transmission and reception data are to be accumulated as logs. The Applicant respectfully submits that none of the cited references, either alone or in combination, discloses at least this feature of claim 1.

The Examiner acknowledged that neither AAPA nor Nagaraj disclose at least this feature

of claim1, but went on to allege that North discloses such an examining unit, citing Figure 3 and Lines 6-16 of Column 7. However, the Applicant respectfully submits that the cited portion of North, along with the remainder of the North reference, neither discloses nor contemplates any such examination of the transmission/reception data. Rather, North merely logs the accumulation of data in one or more data logs or files suitable for review upon request by the system administrator (Column 7, Lines 8-10). The management terminal 30 has a configuration space 114 which has a log field that defines whether data received from the computing device is time-stamped and logged in the log space 124 (Column 10, Lines 27-59). In other words, each of the computing devices managed by the management terminal 30 is slotted to either have the data recorded or not. Such a configuration is set by an administrator, who chooses whether or not the data for each respective machine will be recorded.

This is in direct contrast to examining transmission and reception data generated between the terminal and the hardware port of the information processing device in order to determine whether the transmission and reception data are to be accumulated as logs. The recited term "examining" clearly indicates that the transmission and reception data itself is evaluated in order determine whether the data is logged. Also, it is clear from the recited features that the examining is performed by the examining unit. For instance, in one example embodiment enabled by claim 1 of the present application, described in Lines 20-31 on page 26 of the present application, "[I]f there are data worth recording, the data control unit 122 records the data in the auxiliary memory device 111 through the file system 124". In other words, some of the data from an example terminal may be recorded, and some may not, depending upon the examination by the examining unit. This is markedly different from a system administrator simply choosing which of a plurality of machines will have their respective entire data transmissions/receptions recorded in a log.

The Applicant respectfully notes that the preceding discussion is offered merely to aid the Examiner's understanding of some of the differences between claim 1 and the cited references. The Applicant **does not** rely on any portion of this discussion of example embodiments, features, advantages, and the like as providing patentably distinguishable characteristics of claim 1 over the cited references. Rather the Applicant **does** rely on the **recited feature** of "an examining unit that examines transmission and reception data generated between the terminal and the hardware port of the information processing device in order to determine whether the transmission and reception data are to be accumulated as logs" as being patentably distinguishable over the cited references, because none of the cited references disclose nor contemplate at least this feature.

In order to form a proper §103 rejection, the cited references must disclose all of the features of the rejected claim. Therefore, since none of the cited references, taken either alone or together, disclose, suggest, nor even contemplate at least the feature of claim 1 discussed above, the Applicant respectfully submits that claim 1 patentably distinguishes over the cited references.

Independent claims 13, 17, and 25 recite similar features to those discussed above in regard to claim 1, and which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 13, 17, and 25 also patentably distinguish over the cited references.

Claims 5, 7, and 9-11 depend from claim 1, claims 18 and 21 depend from claim 17, and claims 26 and 29 depend from claim 25. These dependent claims include all of the features of their respective independent claims, plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 5, 7, 9-11, 18, 21, 26, and 29 also patentably distinguish over the cited references.

In items 38-41 on pages 12 and 13 of the Office Action the Examiner rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over AAPA, Nagaraj, and North in view of U.S. Patent Application Publication No. 2003/0002492, issued to Gallagher (hereinafter referred to as "Gallagher"). The Applicants respectfully traverse the Examiner's rejections of this claim.

As previously discussed in this Amendment, claim 1 patentably distinguishes over AAPA, Nagaraj, and North. Further, as Gallagher apparently merely discloses a device capable of providing on demand connections between attached devices, Gallagher does not cure the deficiencies of AAPA, Nagaraj, and North regarding claim 1 of the present application. Therefore, as claim 2 depends from claim 1 and includes all of the features of that claim plus additional features which are not disclosed or suggested by the cited references, it is respectfully submitted that claim 2 also patentably distinguishes over the cited references.

In items 42-66 on pages 13-19 of the Office Action the Examiner rejected claims 3, 4, 6, 12, 14, 16, 19, 20, 22, 24, 27, 28, 30, and 32 under 35 U.S.C. §103(a) as being unpatentable over AAPA, Nagaraj, and North in view of U.S. Patent No. 6,917,626, issued to Duvvury (hereinafter referred to as "Duvvury"). The Applicants respectfully traverse the Examiner's rejections of these claims.

As previously discussed in this Amendment, claims 1, 13, 17, and 25 patentably distinguish over AAPA, Nagaraj, and North. Further, as Duvvury apparently merely discloses learning a MAC address and storing it in a memory, Duvvury does not cure the deficiencies of

AAPA, Nagaraj, and North regarding claims 1, 13, 17, and 25 of the present application. Further, claims 3, 4, 6, and 12 depend from claim 1, claim 14 depends from claim 13, claims 19, 20, 22, and 24 depend from claims 17, and claims 27, 28, 30, and 32 depend from claim 25. Therefore, as these dependent claims recite all of the features of the independent claims upon which they respectively depend, along with additional features which are not disclosed or suggested by the cited references, it is respectfully submitted that claims 3, 4, 6, 12, 14, 19, 20, 22, 24, 27, 28, 30, and 32 also patentably distinguish over the cited references.

Claim 16 of the present application, as amended, recites similar features to those discussed earlier in this Amendment in regard to claim 1, and which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claim 16 also patentably distinguishes over the cited references.

Summary

In accordance with the foregoing, claims 1, 13, 16-19, and 25 have been amended. No new matter has been presented. Thus, claims 1-7, 9-14, 16-22, 24-30, and 32 remain pending in the application.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

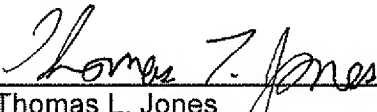
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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